

I certify that the attached is a true and correct copy of HB#62 which was filed of record on AUG 14 1986 and referred to the committee on:

Approp.
Betty Murray

Chief Clerk of the House

HB. No. 62

By Toomey

A BILL TO BE ENTITLED

AN ACT

relating to the payment date of the salaries of state officers and employees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 4344b(3), Revised Statutes, is amended to read as follows:

(3) Notwithstanding the provisions of any other statute, the Comptroller of Public Accounts may establish and operate an electronic funds transfer system to transfer directly into their accounts in financial institutions only: (i) employees' gross state salaries less deductions specifically authorized by state or federal law or reimbursement for travel and subsistence of employees, (ii) payments to annuitants by the Employees Retirement System of Texas or the Teacher Retirement System of Texas under either system's administrative jurisdiction, (iii) recurring payments to governmental entities, and (iv) payments to vendors designated by the Comptroller. An authorized payee must request in writing to participate in any electronic funds transfer system established and operated by the Comptroller of Public Accounts. A single transfer may contain payments to multiple payees without the necessity of issuing individual warrants for each payee. The Comptroller shall establish procedures for administering the system and may use the services of financial institutions, automated clearinghouses, and the Federal Reserve Bank. The use of electronic

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1 funds transfer or any other payment means does not create any
2 rights that would not have been created had an individual state
3 warrant been used as the payment medium. The State Treasurer may
4 not make payment of a state employee's salary before the first
5 ~~[last]~~ working day of the month following the payroll period.

6 SECTION 2. Article 6826, Revised Statutes, is amended by
7 adding Section 3 to read as follows:

8 Sec. 3. (a) Except as provided by Subsection (b) of this
9 section, the Treasurer may not pay the salary of a state officer or
10 employee before the first working day of the month following the
11 payroll period.

12 (b) An employee paid twice a month under Section 2 of this
13 article shall be paid on:

14 (1) the first working day of the month following the payroll
15 period that covers the last half of the preceding month; and

16 (2) the 15th day of the month or the first working day after
17 the 15th for the payroll period that covers the first half of the
18 month.

19 SECTION 3. This Act takes effect November 20, 1986.

20 SECTION 4. The importance of this legislation and the
21 crowded condition of the calendars in both houses create an
22 emergency and an imperative public necessity that the
23 constitutional rule requiring bills to be read on three several
24 days in each house be suspended, and this rule is hereby suspended.

HOUSE COMMITTEE REPORT

1985 AUG 15 PM 7:59

1st. Printing

By Toomey

H.B. No. 62

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23 constitutional rule requiring bills to be read on three several
24 days in each house be suspended, and this rule is hereby suspended.

COMMITTEE REPORT

8-15-86

(date)

The Honorable Gib Lewis
Speaker of the House of Representatives

Sir:

We, your COMMITTEE ON APPROPRIATIONS, to whom was referred HB 62 have had the same under consideration and beg to report back with the recommendation that it (measure)

- (✓) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested. (✓) yes () no

An actuarial analysis was requested. () yes (✓) no

An author's fiscal statement was requested. () yes (✓) no

~~The Committee recommends that this measure be placed on the (Local) or (Consent) Calendar.~~

This measure () proposes new law. (✓) amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Rudd, Ch.	✓			
Willis, V.C.				✓
Blanton	✓			
Cavazos	✓			
Ceverha	✓			
Colbert	✓			
Denton	✓			
Finnell	✓			
Garcia, A.C.	✓			
Geistweidt	✓			
Harrison	✓			
Hinojosa				✓
Hollowell	✓			
Kuempel	✓			
Leonard	✓			
McWilliams	✓			
Madla	✓			
Martinez	✓			
Oliveira				✓
Smith, A.	✓			
Stiles	✓			
Sutton	✓			
Thompson, S.	✓			
Toomey	✓			
Uher	✓			
Vowell	✓			
Waldrop				✓
Whaley	✓			
Wolens	✓			

Total

25 aye
0 nay
0 present, not voting
4 absent

CHAIRMAN

COMMITTEE COORDINATOR

H.B. 62
By: Toomey

BILL ANALYSIS

Background Information

Currently, state employees receiving monthly paychecks are paid on the last working day of each month.

Purpose

This bill amends Article 4344(3) and Article 6826, Revised Statutes, to provide that state employees receiving monthly payroll warrants shall be paid on the first working day of each month and stipulates dates for employees paid twice a month.

Section by Section Analysis

Section 1. amends Article 4344b(3) by changing the payroll date for state employees to the first working day of each month following the payroll period.

Section 2. amends Article 6826 to provide for payroll dates for state employees paid twice a monthly

Section 3. Effective date

Section 4. Declares an emergency.

Rulemaking Authority

It is the opinion of the committee that this bill does not authorize any new rulemaking authority.

Summary of Committee Action

Pursuant to an announcement on the House Floor, the committee met in a formal meeting on 8/15/86 to consider the bill. By a vote of 25 ayes and no nays, the committee reported the bill favorably to the house without amendments.

H.B. 62
By: Toomey

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This bill amends Article 4344(3) and Article 6826, Revised Statutes, to provide that state employees receiving monthly payroll warrants shall be paid on the first working day of each month and stipulates dates for employees paid twice a month.

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

August 15, 1986

Honorable Jim D. Rudd, Chair
Committee on Appropriations
House of Representatives
Austin, Texas

House Bill No. 62
Second Called Session
By: Toomey

Sir:

In response to your request for a Fiscal Note on House Bill No. 62 (relating to the payment date of the salaries of state officers and employees) this office has determined the following:

The bill would change the date of state employee's compensation to the first working day of the month following the payroll period from the last working day of the payroll period. This change of one day would provide for a one-time gain to the General Revenue Fund of \$197,100,000 and \$94,000,000 to Special Funds by reducing expenditures in the current biennium.

No fiscal implication to units of local government is anticipated.


Jim Oliver
Director

Source: LBB Staff: JO, JH, LV

1908 AUG 19 PM 5:11

HOUSE OF REPRESENTATIVES

ENGROSSED
SECOND READING

By Toomey

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to the issuance date of warrants to pay the salaries of state officers and employees and to the payment date of those salaries.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 4359, Revised Statutes, is amended to read as follows:

Art. 4359. PAY WARRANTS REGISTER. The Comptroller shall provide a pay warrant register. When a pay warrant is prepared, it shall be registered in the pay warrant register; and such registry shall consist of an entry of the amount of the warrant, name of the payee, appropriation to which charged, and such other information as may be deemed advisable by the Comptroller. Pay warrants prepared under this article shall be considered for all purposes to be issued on the due date of the claim. After a warrant has been prepared and registered as herein provided it shall be passed to the Comptroller for his authorization or signature, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, or for the signature of such person as may be authorized by law to sign the same in his stead; and such warrant together with a copy of the warrant register shall then be passed to the State Treasury and registered in the Treasury, and authorized or signed, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, by the State Treasurer or some person

1 authorized by law to sign for him, and returned to the
2 Comptroller's Department. Such warrant shall then be delivered by
3 the Comptroller to the person entitled to receive it, and the
4 Comptroller shall at his option take a receipt therefor and file
5 the receipt in his office. The Comptroller shall also keep a
6 "warrants cancelled register" in which shall be entered the details
7 of all warrants cancelled.

8 It is hereby provided that a department, court, school, or
9 other state agency may prepare and present payroll claims to the
10 Comptroller prior to the end of the payroll period, which said
11 payroll claims shall be verified as to services theretofore
12 actually performed within such payroll period prior to the date of
13 such payroll claims; and such payroll claims need not be verified
14 as to any services to be performed during such payroll period
15 subsequent to the date of such payroll claims. Such claims when so
16 presented shall be prepared and approved as otherwise provided
17 below. The Comptroller shall accept such payroll claims when
18 presented and prepare warrants in payment thereof prior to date
19 such claims become due and payable, and hold such warrants for
20 delivery until the claims become due and payable. Such warrants
21 shall be dated as of the due date of the claim and shall not be
22 delivered to the claimant until the due date [~~end--of--the--pay~~
23 ~~period~~]. The Treasurer is hereby authorized to countersign such
24 warrants and to make such entry as to properly take them into
25 account. In order that such warrants may be ready for delivery on
26 the due date, [~~at-the-end-of-the-pay--period~~] the Comptroller is
27 authorized to make such rules and regulations as may be necessary

1 to administer this article [~~for-filing-payroll-claims-in-advance-of~~
2 ~~the-pay-period,-and-for-the-preparation-and-writing-of-warrants--in~~
3 ~~payment--thereof--to-adequately-and-properly-achieve-such-purpose~~].

4 One person shall be designated by the Comptroller as Chief of
5 the Claims Division, and such person shall prepare or be
6 responsible for the preparation of all pay warrants, and shall be
7 accountable to the Comptroller for warrants coming into his
8 possession.

9 SECTION 2. Article 4344b(3), Revised Statutes, is amended to
10 read as follows:

11 (3) Notwithstanding the provisions of any other statute, the
12 Comptroller of Public Accounts may establish and operate an
13 electronic funds transfer system to transfer directly into their
14 accounts in financial institutions only: (i) employees' gross
15 state salaries less deductions specifically authorized by state or
16 federal law or reimbursement for travel and subsistence of
17 employees, (ii) payments to annuitants by the Employees Retirement
18 System of Texas or the Teacher Retirement System of Texas under
19 either system's administrative jurisdiction, (iii) recurring
20 payments to governmental entities, and (iv) payments to vendors
21 designated by the Comptroller. An authorized payee must request in
22 writing to participate in any electronic funds transfer system
23 established and operated by the Comptroller of Public Accounts. A
24 single transfer may contain payments to multiple payees without the
25 necessity of issuing individual warrants for each payee. The
26 Comptroller shall establish procedures for administering the system
27 and may use the services of financial institutions, automated

1 clearinghouses, and the federal government. The use of electronic
2 funds transfer or any other payment means does not create any
3 rights that would not have been created had an individual state
4 warrant been used as the payment medium. The State Treasurer may
5 not make payment of a state employee's salary before the first
6 ~~[last]~~ working day of the month following the payroll period.

7 SECTION 3. Article 6826, Revised Statutes, is amended by
8 adding Section 3 to read as follows:

9 Sec. 3. (a) Except as provided by Subsection (b) of this
10 section, the Treasurer may not pay the salary of a state officer or
11 employee before the first working day of the month following the
12 payroll period.

13 (b) An employee paid twice a month under Section 2 of this
14 article shall be paid on:

15 (1) the first working day of the month following the payroll
16 period that covers the last half of the preceding month; and

17 (2) the 15th day of the month or the first working day after
18 the 15th for the payroll period that covers the first half of the
19 month.

20 SECTION 4. This Act takes effect December 20, 1986.

21 SECTION 5. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several
25 days in each house be suspended, and this rule is hereby suspended.

ADOPTED

AUG 19 1988

Denny Murry
Chief Clerk
House of Representatives

AMENDMENT NO.

BY *[Signature]*

1 Amend H.B. 62 on page 1 by inserting a new Section 1 between
2 lines 4 and 5 to read as follows and renumbering succeeding
3 sections accordingly:

4 SECTION 1. Article 4359, Revised Statutes, is amended to
5 read as follows:

6 Art. 4359. PAY WARRANTS REGISTER. The Comptroller shall
7 provide a pay warrant register. When a pay warrant is prepared, it
8 shall be registered in the pay warrant register; and such registry
9 shall consist of an entry of the amount of the warrant, name of the
10 payee, appropriation to which charged, and such other information
11 as may be deemed advisable by the Comptroller. Pay warrants
12 prepared under this article shall be considered for all purposes to
13 be issued on the due date of the claim. After a warrant has been
14 prepared and registered as herein provided it shall be passed to
15 the Comptroller for his authorization or signature, except as
16 provided by Article 4359a, Revised Civil Statutes of Texas, 1925,
17 as added, or for the signature of such person as may be authorized
18 by law to sign the same in his stead; and such warrant together
19 with a copy of the warrant register shall then be passed to the
20 State Treasury and registered in the Treasury, and authorized or
21 signed, except as provided by Article 4359a, Revised Civil Statutes
22 of Texas, 1925, as added, by the State Treasurer or some person
23 authorized by law to sign for him, and returned to the
24 Comptroller's Department. Such warrant shall then be delivered by

1 the Comptroller to the person entitled to receive it, and the
2 Comptroller shall at his option take a receipt therefor and file
3 the receipt in his office. The Comptroller shall also keep a
4 "warrants cancelled register" in which shall be entered the details
5 of all warrants cancelled.

6 It is hereby provided that a department, court, school, or
7 other state agency may prepare and present payroll claims to the
8 Comptroller prior to the end of the payroll period, which said
9 payroll claims shall be verified as to services theretofore
10 actually performed within such payroll period prior to the date of
11 such payroll claims; and such payroll claims need not be verified
12 as to any services to be performed during such payroll period
13 subsequent to the date of such payroll claims. Such claims when so
14 presented shall be prepared and approved as otherwise provided
15 below. The Comptroller shall accept such payroll claims when
16 presented and prepare warrants in payment thereof prior to date
17 such claims become due and payable, and hold such warrants for
18 delivery until the claims become due and payable. Such warrants
19 shall be dated as of the due date of the claim and shall not be
20 delivered to the claimant until the due date [~~end--of--the--pay~~
21 ~~period~~]. The Treasurer is hereby authorized to countersign such
22 warrants and to make such entry as to properly take them into
23 account. In order that such warrants may be ready for delivery on
24 the due date, [~~at-the-end-of-the-pay--period~~] the Comptroller is
25 authorized to make such rules and regulations as may be necessary
26 to administer this article [~~for-filing-payroll-claims-in-advance-of~~
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3 the Claims Division, and such person shall prepare or be
4 responsible for the preparation of all pay warrants, and shall be
5 accountable to the Comptroller for warrants coming into his
6 possession.

LCT

ADOPTED

AUG 19 1986

Betty Murray
Chief Clerk
House of Representatives

AMENDMENT NO. 2

BY *[Signature]*

- 1 Amend H.B. 62 on page 2, line 19, by striking "November 20,"
- 2 and substituting "December 20,".

*et
os*

HOUSE ENGROSSMENT

1903 AUG 20 AM 11:42

HOUSE REPRESENTATIVE

By Toomey

H.B. No. 62

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LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE

August 15, 1986

Honorable Jim D. Rudd, Chair
Committee on Appropriations
House of Representatives
Austin, Texas

House Bill No. 62
Second Called Session
By: Toomey

Sir:

In response to your request for a Fiscal Note on House Bill No. 62 (relating to the payment date of the salaries of state officers and employees) this office has determined the following:

The bill would change the date of state employee's compensation to the first working day of the month following the payroll period from the last working day of the payroll period. This change of one day would provide for a one-time gain to the General Revenue Fund of \$197,100,000 and \$94,000,000 to Special Funds by reducing expenditures in the current biennium.

No fiscal implication to units of local government is anticipated.


Jim Oliver
Director

Source: LBB Staff: JO, JH, LV

COMMITTEE REPORT FORM

Austin, Texas

8-27-86

Date of report to Senate

Honorable William P. Hobby
President of the Senate

Sir:

We, your Committee on Finance to which was referred
H B. No. 62 have had the same under consideration, and I am instructed to report it back to the Senate
with the recommendation that it do _____ pass _____ and be printed.


Chairman

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.

AMENDMENT NO. 1

BY

Barrionto

Amend H.B. 62 as follows:

(1) On page 2, line 21, strike "period." and insert the following:

"period, except that if the first working day falls on a Saturday, Sunday, or state holiday, the State Treasurer shall make the payment on the last working day of the payroll period."

(2) On page 2, line 24, strike "Subsection (b)" and substitute "Subsections (b) and (c)".

(3) On page 2, between lines 34 and 35, insert a new Subsection (c) to read as follows:

(c) If the first working day of the month following the payroll period falls on a Saturday, Sunday, or state holiday, the Treasurer shall pay the salary on the last working day of the payroll period, and that date is the due date of the claim. Notwithstanding Section 3.114, Business and Commerce Code, the time when the instrument is payable is on or after the due date.

ADOPTED

SEP 2 1986

Betty King
Secretary of the Senate

BILL ANALYSIS

BACKGROUND INFORMATION

Currently, state employees receiving monthly paychecks are paid on the last working day of each month.

Problems the Bill Addresses:

The State of Texas is experiencing a significant budget crisis and many methods of delaying payments of bills is being considered, including delaying issuance of payroll warrants.

How the Bill Will Solve the Problem:

This bill would amend Article 4344(3) and Article 6826, Revised Statutes, to provide that state employees receiving monthly payroll warrants would be paid on the first working day of each month and stipulates dates for employees paid twice each month.

Section by Section Analysis:

- Section 1: Amends Article 4359, Revised Statutes, to provide language requiring pay warrants to be issued on the due date of the claim rather than the end of the pay period.
- Section 2: Amends Article 4344b(3), Revised Statutes, by changing the payroll issuance date for state employees to the first working day of each month following the payroll period.
- Section 3. Amends Article 6826, Revised Statutes, to provide for payroll issuance dates for state employees paid bi-monthly, to the first working day of each month and the 15th day or first day thereafter of each month.
- Section 4. Effective December 20, 1986.
- Section 5. Declares an emergency.

AMEND THE CAPTION TO CONFORM
TO THE BODY OF THE BILL

ADOPTED

SEP 2 1988

Doty King
Secretary of the Senate

By 

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

Use name, date of enactment, etc.
relating to the payment date of the salaries of state officers and employees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 4344b(3), Revised Statutes, is amended to read as follows:

(3) Notwithstanding the provisions of any other statute, the Comptroller of Public Accounts may establish and operate an electronic funds transfer system to transfer directly into their accounts in financial institutions only: (i) employees' gross state salaries less deductions specifically authorized by state or federal law or reimbursement for travel and subsistence of employees, (ii) payments to annuitants by the Employees Retirement System of Texas or the Teacher Retirement System of Texas under either system's administrative jurisdiction, (iii) recurring payments to governmental entities, and (iv) payments to vendors designated by the Comptroller. An authorized payee must request in writing to participate in any electronic funds transfer system established and operated by the Comptroller of Public Accounts. A single transfer may contain payments to multiple payees without the necessity of issuing individual warrants for each payee. The Comptroller shall establish procedures for administering the system and may use the services of financial institutions, automated clearinghouses, and the federal government. The use of electronic

1 funds transfer or any other payment means does not create any
2 rights that would not have been created had an individual state
3 warrant been used as the payment medium. The State Treasurer may
4 not make payment of a state employee's salary before the first
5 ~~[last]~~ working day of the month following the payroll period.

6 SECTION 2. Article 6826, Revised Statutes, is amended by
7 adding Section 3 to read as follows:

8 Sec. 3. (a) Except as provided by Subsection (b) of this
9 section, the Treasurer may not pay the salary of a state officer or
10 employee before the first working day of the month following the
11 payroll period.

12 (b) An employee paid twice a month under Section 2 of this
13 article shall be paid on:

14 (1) the first working day of the month following the payroll
15 period that covers the last half of the preceding month; and

16 (2) the 15th day of the month or the first working day after
17 the 15th for the payroll period that covers the first half of the
18 month.

19 SECTION 3. This Act takes effect November¹/₂ 20, 1986.

20 SECTION 4. The importance of this legislation and the
21 crowded condition of the calendars in both houses create an
22 emergency and an imperative public necessity that the
23 constitutional rule requiring bills to be read on three several
24 days in each house be suspended, and this rule is hereby suspended.

CONFERENCE COMMITTEE REPORT FORM

1986 SEP -3 PM 4:31
September 3, 1986 Austin, Texas
~~HOUSE OF REPRESENTATIVES~~

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 62 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Jones
Sanchez
McFarland
Kurt Copeland
Stumhardt
On the part of the Senate

Toney
Terrell Davis
Richard F. Williams
Tom Wilson
Richard P. Perez
On the part of the House

ADOPTED

Paper clip one of these forms to each of the following:
the original and two copies to the house of origin
three copies to the other house

SEP 4 1986
Betty Murray
Chief Clerk
House of Representatives

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 62

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to the issuance date of warrants to pay the salaries of state officers and employees and to the payment date of those salaries.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 4359, Revised Statutes, is amended to read as follows:

Art. 4359. PAY WARRANTS REGISTER. The Comptroller shall provide a pay warrant register. When a pay warrant is prepared, it shall be registered in the pay warrant register; and such registry shall consist of an entry of the amount of the warrant, name of the payee, appropriation to which charged, and such other information as may be deemed advisable by the Comptroller. Pay warrants prepared under this article shall be considered for all purposes to be issued on the due date of the claim. After a warrant has been prepared and registered as herein provided it shall be passed to the Comptroller for his authorization or signature, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, or for the signature of such person as may be authorized by law to sign the same in his stead; and such warrant together with a copy of the warrant register shall then be passed to the State Treasury and registered in the Treasury, and authorized or signed, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, by the State Treasurer or some person

1 authorized by law to sign for him, and returned to the
2 Comptroller's Department. Such warrant shall then be delivered by
3 the Comptroller to the person entitled to receive it, and the
4 Comptroller shall at his option take a receipt therefor and file
5 the receipt in his office. The Comptroller shall also keep a
6 "warrants cancelled register" in which shall be entered the details
7 of all warrants cancelled.

8 It is hereby provided that a department, court, school, or
9 other state agency may prepare and present payroll claims to the
10 Comptroller prior to the end of the payroll period, which said
11 payroll claims shall be verified as to services theretofore
12 actually performed within such payroll period prior to the date of
13 such payroll claims; and such payroll claims need not be verified
14 as to any services to be performed during such payroll period
15 subsequent to the date of such payroll claims. Such claims when so
16 presented shall be prepared and approved as otherwise provided
17 below. The Comptroller shall accept such payroll claims when
18 presented and prepare warrants in payment thereof prior to date
19 such claims become due and payable, and hold such warrants for
20 delivery until the claims become due and payable. Such warrants
21 shall be dated as of the due date of the claim and shall not be
22 delivered to the claimant until the due date [~~end--of--the--pay~~
23 ~~period~~]. The Treasurer is hereby authorized to countersign such
24 warrants and to make such entry as to properly take them into
25 account. In order that such warrants may be ready for delivery on
26 the due date, [~~at--the--end--of--the--pay--period~~] the Comptroller is
27 authorized to make such rules and regulations as may be necessary

1 to administer this article [~~for-filing-payroll-claims-in-advance-of~~
2 ~~the-pay-period,-and-for-the-preparation-and-writing-of-warrants--in~~
3 ~~payment--thereof--to-adequately-and-properly-achieve-such-purpose~~].

4 One person shall be designated by the Comptroller as Chief of
5 the Claims Division, and such person shall prepare or be
6 responsible for the preparation of all pay warrants, and shall be
7 accountable to the Comptroller for warrants coming into his
8 possession.

9 SECTION 2. Article 4344b(3), Revised Statutes, is amended to
10 read as follows:

11 (3) Notwithstanding the provisions of any other statute, the
12 Comptroller of Public Accounts may establish and operate an
13 electronic funds transfer system to transfer directly into their
14 accounts in financial institutions only: (i) employees' gross
15 state salaries less deductions specifically authorized by state or
16 federal law or reimbursement for travel and subsistence of
17 employees, (ii) payments to annuitants by the Employees Retirement
18 System of Texas or the Teacher Retirement System of Texas under
19 either system's administrative jurisdiction, (iii) recurring
20 payments to governmental entities, and (iv) payments to vendors
21 designated by the Comptroller. An authorized payee must request in
22 writing to participate in any electronic funds transfer system
23 established and operated by the Comptroller of Public Accounts. A
24 single transfer may contain payments to multiple payees without the
25 necessity of issuing individual warrants for each payee. The
26 Comptroller shall establish procedures for administering the system
27 and may use the services of financial institutions, automated

1 clearinghouses, and the federal government. The use of electronic
2 funds transfer or any other payment means does not create any
3 rights that would not have been created had an individual state
4 warrant been used as the payment medium. The State Treasurer may
5 not make payment of a state employee's salary before the first
6 [~~last~~] working day of the month following the payroll period.

7 SECTION 3. Article 6826, Revised Statutes, is amended by
8 adding Section 3 to read as follows:

9 Sec. 3. (a) Except as provided by Subsection (b) of this
10 section, the Treasurer may not pay the salary of a state officer or
11 employee before the first working day of the month following the
12 payroll period.

13 (b) An employee paid twice a month under Section 2 of this
14 article shall be paid on:

15 (1) the first working day of the month following the payroll
16 period that covers the last half of the preceding month; and

17 (2) the 15th day of the month or the first working day after
18 the 15th for the payroll period that covers the first half of the
19 month.

20 SECTION 4. This Act takes effect December 20, 1986.

21 SECTION 5. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several
25 days in each house be suspended, and this rule is hereby suspended.

SIDE BY SIDE ANALYSIS--HB62

HOUSE VERSION	SENATE VERSION	CONFERENCE VERSION
Section 1. Provides that state pay warrants shall be issued on the due date of the claim.	Adds the provision that if the first working day falls on a Saturday, Sunday, or holiday, state pay warrants shall be issued on the last working day of the payroll period and that that shall be the due date of the claim.	Same as House version
Section 2. Amends Art.4344b(3) to change payday for state employees to the first day of the month following the pay period.	Same as House version	Same as House version
Section 3. Provides paydays for employees paid twice a month; provides that state employees may not be paid before the first working day of the month following the pay period.	Same as House version	Same as House version
Section 4. Effective date	Same as House version	Same as House version
Section 5. Emergency	Same as House version	Same as House version

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

September 3, 1986

Date

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 62 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Jones
Zuma
McFarland
K. B. Cooper
Mustard

Toomey
T. Smith
Williamson
Wilson
Perez

On the part of the House
ADOPTED
Viva Voice Vote
SEP 4 1986

Paper clip one of these forms to each of the following:
the original and two copies to the house of origin
three copies to the other house

Betty King
Secretary of the Senate

SEP

3 1986

Read and filed with Secretary of Senate

CONFERENCE COMMITTEE REPORT ON HOUSE BILL No. 62

By Toomey

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to the issuance date of warrants to pay the salaries of state officers and employees and to the payment date of those salaries.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 4359, Revised Statutes, is amended to read as follows:

Art. 4359. PAY WARRANTS REGISTER. The Comptroller shall provide a pay warrant register. When a pay warrant is prepared, it shall be registered in the pay warrant register; and such registry shall consist of an entry of the amount of the warrant, name of the payee, appropriation to which charged, and such other information as may be deemed advisable by the Comptroller. Pay warrants prepared under this article shall be considered for all purposes to be issued on the due date of the claim. After a warrant has been prepared and registered as herein provided it shall be passed to the Comptroller for his authorization or signature, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, or for the signature of such person as may be authorized by law to sign the same in his stead; and such warrant together with a copy of the warrant register shall then be passed to the State Treasury and registered in the Treasury, and authorized or signed, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, by the State Treasurer or some person

1 authorized by law to sign for him, and returned to the
2 Comptroller's Department. Such warrant shall then be delivered by
3 the Comptroller to the person entitled to receive it, and the
4 Comptroller shall at his option take a receipt therefor and file
5 the receipt in his office. The Comptroller shall also keep a
6 "warrants cancelled register" in which shall be entered the details
7 of all warrants cancelled.

8 It is hereby provided that a department, court, school, or
9 other state agency may prepare and present payroll claims to the
10 Comptroller prior to the end of the payroll period, which said
11 payroll claims shall be verified as to services theretofore
12 actually performed within such payroll period prior to the date of
13 such payroll claims; and such payroll claims need not be verified
14 as to any services to be performed during such payroll period
15 subsequent to the date of such payroll claims. Such claims when so
16 presented shall be prepared and approved as otherwise provided
17 below. The Comptroller shall accept such payroll claims when
18 presented and prepare warrants in payment thereof prior to date
19 such claims become due and payable, and hold such warrants for
20 delivery until the claims become due and payable. Such warrants
21 shall be dated as of the due date of the claim and shall not be
22 delivered to the claimant until the due date [~~end--of--the--pay~~
23 ~~period~~]. The Treasurer is hereby authorized to countersign such
24 warrants and to make such entry as to properly take them into
25 account. In order that such warrants may be ready for delivery on
26 the due date, [~~at-the-end-of-the-pay--period~~] the Comptroller is
27 authorized to make such rules and regulations as may be necessary

1 to administer this article [~~for-filing-payroll-claims-in-advance-of~~
2 ~~the-pay-period,-and-for-the-preparation-and-writing-of-warrants--in~~
3 ~~payment--thereof--to-adequately-and-properly-achieve-such-purpose~~].

4 One person shall be designated by the Comptroller as Chief of
5 the Claims Division, and such person shall prepare or be
6 responsible for the preparation of all pay warrants, and shall be
7 accountable to the Comptroller for warrants coming into his
8 possession.

9 SECTION 2. Article 4344b(3), Revised Statutes, is amended to
10 read as follows:

11 (3) Notwithstanding the provisions of any other statute, the
12 Comptroller of Public Accounts may establish and operate an
13 electronic funds transfer system to transfer directly into their
14 accounts in financial institutions only: (i) employees' gross
15 state salaries less deductions specifically authorized by state or
16 federal law or reimbursement for travel and subsistence of
17 employees, (ii) payments to annuitants by the Employees Retirement
18 System of Texas or the Teacher Retirement System of Texas under
19 either system's administrative jurisdiction, (iii) recurring
20 payments to governmental entities, and (iv) payments to vendors
21 designated by the Comptroller. An authorized payee must request in
22 writing to participate in any electronic funds transfer system
23 established and operated by the Comptroller of Public Accounts. A
24 single transfer may contain payments to multiple payees without the
25 necessity of issuing individual warrants for each payee. The
26 Comptroller shall establish procedures for administering the system
27 and may use the services of financial institutions, automated

clearinghouses, and the federal government. The use of electronic funds transfer or any other payment means does not create any rights that would not have been created had an individual state warrant been used as the payment medium. The State Treasurer may not make payment of a state employee's salary before the first ~~[last]~~ working day of the month following the payroll period.

SECTION 3. Article 6826, Revised Statutes, is amended by adding Section 3 to read as follows:

Sec. 3. (a) Except as provided by Subsection (b) of this section, the Treasurer may not pay the salary of a state officer or employee before the first working day of the month following the payroll period.

(b) An employee paid twice a month under Section 2 of this article shall be paid on:

(1) the first working day of the month following the payroll period that covers the last half of the preceding month; and

(2) the 15th day of the month or the first working day after the 15th for the payroll period that covers the first half of the month.

SECTION 4. This Act takes effect December 20, 1986.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

SIDE BY SIDE ANALYSIS--HB62

HOUSE VERSION

SENATE VERSION

CONFERENCE VERSION

Section 1. Provides that state pay warrants shall be issued on the due date of the claim.

Adds the provision that if the first working day falls on a Saturday, Sunday, or holiday, state pay warrants shall be issued on the last working day of the payroll period and that that shall be the due date of the claim.

Same as House version

Section 2. Amends Art.4344b(3) to change payday for state employees to the first day of the month following the pay period.

Same as House version

Same as House version

Section 3. Provides paydays for employees paid twice a month; provides that state employees may not be paid before the first working day of the month following the pay period.

Same as House version

Same as House version

Section 4. Effective date

Same as House version

Same as House version

Section 5. Emergency

Same as House version

Same as House version

CONFERENCE COMMITTEE REPORT FORM

1986 SEP -3 PM 4:31

Austin, Texas

~~September 3, 1986~~
~~HOUSE OF REPRESENTATIVES~~

Date

Honorable William P. Hobby
President of the Senate

Honorable Gibson D. "Gib" Lewis
Speaker of the House of Representatives

Sir:

We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 62 have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Jones
Sanchez
McFarland
Kurt Copeland
Alvin Hurd
On the part of the Senate

Tomy
Terral Davis
Richard F. Williams
Tom Wilson
Richard J. Perez
On the part of the House

Paper clip one of these forms to each of the following:
the original and two copies to the house of origin
three copies to the other house

Done

CONFERENCE COMMITTEE REPORT

3rd Printing

H.B. No. 62

A BILL TO BE ENTITLED

AN ACT

relating to the issuance date of warrants to pay the salaries of state officers and employees and to the payment date of those salaries.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 4359, Revised Statutes, is amended to read as follows:

Art. 4359. PAY WARRANTS REGISTER. The Comptroller shall provide a pay warrant register. When a pay warrant is prepared, it shall be registered in the pay warrant register; and such registry shall consist of an entry of the amount of the warrant, name of the payee, appropriation to which charged, and such other information as may be deemed advisable by the Comptroller. Pay warrants prepared under this article shall be considered for all purposes to be issued on the due date of the claim. After a warrant has been prepared and registered as herein provided it shall be passed to the Comptroller for his authorization or signature, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, or for the signature of such person as may be authorized by law to sign the same in his stead; and such warrant together with a copy of the warrant register shall then be passed to the State Treasury and registered in the Treasury, and authorized or signed, except as provided by Article 4359a, Revised Civil Statutes of Texas, 1925, as added, by the State Treasurer or some person

1 authorized by law to sign for him, and returned to the
2 Comptroller's Department. Such warrant shall then be delivered by
3 the Comptroller to the person entitled to receive it, and the
4 Comptroller shall at his option take a receipt therefor and file
5 the receipt in his office. The Comptroller shall also keep a
6 "warrants cancelled register" in which shall be entered the details
7 of all warrants cancelled.

8 It is hereby provided that a department, court, school, or
9 other state agency may prepare and present payroll claims to the
10 Comptroller prior to the end of the payroll period, which said
11 payroll claims shall be verified as to services theretofore
12 actually performed within such payroll period prior to the date of
13 such payroll claims; and such payroll claims need not be verified
14 as to any services to be performed during such payroll period
15 subsequent to the date of such payroll claims. Such claims when so
16 presented shall be prepared and approved as otherwise provided
17 below. The Comptroller shall accept such payroll claims when
18 presented and prepare warrants in payment thereof prior to date
19 such claims become due and payable, and hold such warrants for
20 delivery until the claims become due and payable. Such warrants
21 shall be dated as of the due date of the claim and shall not be
22 delivered to the claimant until the due date [~~end--of--the--pay~~
23 ~~period~~]. The Treasurer is hereby authorized to countersign such
24 warrants and to make such entry as to properly take them into
25 account. In order that such warrants may be ready for delivery on
26 the due date, [~~at-the-end-of-the-pay--period~~] the Comptroller is
27 authorized to make such rules and regulations as may be necessary

1 to administer this article [~~for-filing-payroll-claims-in-advance-of~~
2 ~~the-pay-period,-and-for-the-preparation-and-writing-of-warrants--in~~
3 ~~payment--thereof--to-adequately-and-properly-achieve-such-purpose~~].

4 One person shall be designated by the Comptroller as Chief of
5 the Claims Division, and such person shall prepare or be
6 responsible for the preparation of all pay warrants, and shall be
7 accountable to the Comptroller for warrants coming into his
8 possession.

9 SECTION 2. Article 4344b(3), Revised Statutes, is amended to
10 read as follows:

11 (3) Notwithstanding the provisions of any other statute, the
12 Comptroller of Public Accounts may establish and operate an
13 electronic funds transfer system to transfer directly into their
14 accounts in financial institutions only: (i) employees' gross
15 state salaries less deductions specifically authorized by state or
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17 employees, (ii) payments to annuitants by the Employees Retirement
18 System of Texas or the Teacher Retirement System of Texas under
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3 rights that would not have been created had an individual state
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6 ~~[last]~~ working day of the month following the payroll period.

7 SECTION 3. Article 6826, Revised Statutes, is amended by
8 adding Section 3 to read as follows:

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10 section, the Treasurer may not pay the salary of a state officer or
11 employee before the first working day of the month following the
12 payroll period.

13 (b) An employee paid twice a month under Section 2 of this
14 article shall be paid on:

15 (1) the first working day of the month following the payroll
16 period that covers the last half of the preceding month; and

17 (2) the 15th day of the month or the first working day after
18 the 15th for the payroll period that covers the first half of the
19 month.

20 SECTION 4. This Act takes effect December 20, 1986.

21 SECTION 5. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several
25 days in each house be suspended, and this rule is hereby suspended.

SIDE BY SIDE ANALYSIS--HB62

HOUSE VERSION

SENATE VERSION

CONFERENCE VERSION

Section 1. Provides that state pay warrants shall be issued on the due date of the claim.

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Same as House version

Section 2. Amends Art.4344b(3) to change Payday for state employees to the first day of the month following the pay period.

Same as House version

Same as House version

Section 3. Provides paydays for employees paid twice a month; provides that state employees may not be paid before the first working day of the month following the pay period.

Same as House version

Same as House version

Section 4. Effective date

Same as House version

Same as House version

Section 5. Emergency

Same as House version

Same as House version

ENROLLED

H.B. No. 62

AN ACT

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18 System of Texas or the Teacher Retirement System of Texas under
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12 payroll period.

13 (b) An employee paid twice a month under Section 2 of this
14 article shall be paid on:

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16 period that covers the last half of the preceding month; and

17 (2) the 15th day of the month or the first working day after
18 the 15th for the payroll period that covers the first half of the
19 month.

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21 SECTION 5. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several
25 days in each house be suspended, and this rule is hereby suspended.

H.B. No. 62

President of the Senate

Speaker of the House

I certify that H.B. No. 62 was passed by the House on August 20, 1986, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 62 on September 3, 1986, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 62 on September 4, 1986, by a non-record vote.

Chief Clerk of the House

H.B. No. 62

I certify that H.B. No. 62 was passed by the Senate, with amendments, on September 2, 1986, by a viva-voce vote; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 62 on September 4, 1986, by a viva-voce vote.

Secretary of the Senate

APPROVED: _____

Date

Governor

President of the Senate

Speaker of the House

I certify that H.B. No. 62 was passed by the House on
(1)

August 20, 1985⁶, by a non-record vote; that the
(2)

House refused to concur in Senate amendments to H.B. No. 62 on
September 3, 1985⁶, and requested the appointment
(3)

of a conference committee to consider the differences between the
two houses; and that the House adopted the conference committee report
on H.B. No. 62 on September 4, 1985⁶, by a
(4)
non-record vote.

Chief Clerk of the House

**** Preparation: 'A;CT40;

I certify that H.B. No. 62 was passed by the Senate,
(1)

with amendments, on September 2, 1985⁶, by a
(2)

viva-voce vote; at the request of the House, the Senate appointed a
conference committee to consider the differences between the two houses;
and that the Senate adopted the conference committee report on
H.B. No. 62 on September 4, 1985⁶, by a viva-voce vote.
(3)

Secretary of the Senate

APPROVED:

Date

Governor

**** Preparation: 'A;CT41;

H. B. No. 62

By Tom

A BILL TO BE ENTITLED

AN ACT

relating to the payment date of the salaries of state officers and employees.

AUG 14 1986

1. Filed with the Chief Clerk.

AUG 14 1986

2. Read first time and Referred to Committee on Appropriations

AUG 15 1986

3. Reported favorably (as amended) (as substituted) and sent to Printer at 5:55 pm

AUG 15 1986

4. Printed and distributed at 7:59 pm

AUG 18 1986

5. Sent to Committee on Calendars at 9:29

AUG 19 1986

6. Read second time (amended) passed to third reading (failed) by (Non-Record Vote) (Record Vote of yeas, nays, present, not voting).

7. Motion to reconsider and table the vote by which H.B. was ordered engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas, nays, and present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of yeas, nays, and present, not voting.

AUG 20 1986

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote of yeas, nays, present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. was finally passed prevailed (failed) by a (Non-Record Vote) (Record Vote of yeas, nays, and present, not voting).

AUG 20 1986

12. Ordered Engrossed at 10:35 am

AUG 20 1986

13. Engrossed.

AUG 20 1986

14. Returned to Chief Clerk at 11:42 am

AUG 20 1986

15. Sent to Senate.

Berty Murray
Chief Clerk of the House

AUG 20 1986

16. Received from the House

AUG 21 1986

17. Read, referred to Committee on FINANCE

AUG 27 1986

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

20. Ordered not printed.

SEP 2 1986

21. Regular order of business suspended by unanimous consent (a viva voce vote.) (yeas, nays.)

22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

SEP 2 1986 23. Read second time amended passed to third reading by: (a viva voce vote.) _____ yeas, _____ nays.)

SEP 2 1986

24. Caption ordered amended to conform to body of bill.

SEP 2 1986

25. Senate and Constitutional 3-Day Rules suspended by vote of 28 yeas, 1 nays to place bill on third reading and final passage.

SEP 3 1986

26. Read third time and passed by (a viva voce vote.) _____ yeas, _____ nays.)

OTHER ACTION:

OTHER ACTION:

Buttz King
Secretary of the Senate

Sept. 3, 1986

27. Returned to the House.

SEP 3 1986

28. Received from the Senate (with amendments.) (no substitute.)

SEP 3 1986

29. House (~~Concurred~~) (Refused to Concur) in Senate (Amendments) by a (Non-Record) (Record) (Vote) Record vote of _____ yeas, _____ nays, _____ present, _____ not voting.

SEP 3 1986

30. Conference Committee Ordered.

SEP 4 1986

31. Conference Committee Report Adopted (~~Rejected~~) by a (Non-Record Vote) (Record) (Vote) _____ yeas, _____ nays, and _____ present, not voting.

SEP 4 1986

32. Ordered Enrolled at 11:45 am

1986 AUG 19 PM 5:11

HOUSE OF REPRESENTATIVES

1986 AUG 15 PM 7:59

HOUSE OF REPRESENTATIVES

RECEIVED

1986 AUG 20 AM 11:42